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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/862,707	05/23/2001	Steven Chen	10010402-1	9702

7590

01/09/2006

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EXAMINER

NELSON, FREDA ANN

ART UNIT

PAPER NUMBER

3639

DATE MAILED: 01/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/862,707

Applicant(s)

CHEN ET AL.

Examiner

Freda A. Nelson

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4,5,8-10 and 13 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1,4,5,8-10 and 13 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

The amendment received on October 24, 2005 is acknowledged and entered. Claims 1, 8, 10, and 13 have been amended. Claims 2-3, 6-7, 11-12, and 14-20 have been canceled. No claims have been added. Claims 1, 4-5, 8-10 and 13 are currently pending.

Response to Amendment and Arguments

Applicant's arguments with respect to claims 1, 4-5, 8-10, and 13 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

Claim rejections under 35 USC § 112 have been withdrawn due to applicant's amendment.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical

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Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 1, 4-5, 10, and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Liebenow (Patent Number 6,480,673).

As for claim 1, Liebenow discloses a printing vending machine for printing electronic document information supplied by a user, the vending machine comprising:
a housing unit (col. 1, lines 50-56; FIG. 1);
a receiver unit within said housing unit and which is configured to receive the electronic document information from a portable media device (col. 2, lines 14-40);
a payment authorization unit within said housing unit (col. 2, lines 57-63);
a printer within said housing unit and which is coupled to the receiver unit and the payment authorization unit (col. 2, line 51 through col. 3, line 3); and
an output bin within said housing unit and which is coupled to the printer, wherein the printer prints the electronic document information as a printed document upon indication from the payment authorization unit and delivers the printed document to the output bin (col. 2, line 51 through col. 3, line 3).

As for claims 4-5, Liebenow discloses the vending machine, according to claim 1, further comprising: a display and input device configured to provide information regarding the document and payment information (col. 2, lines 4-13; col. 3, lines 49-55; col. 5, lines 11-15).

As for claim 10, Liebenow discloses the printing services device for printing a document, the device comprising:
a housing unit (col. 1, lines 50-56; FIG. 1);
a receiver means within said housing unit and which is configured to receive electronic document information from a portable media device (col. 2, lines 14-40);
a payment authorization means within said housing unit (col. 2, lines 57-63);
a memory means within said housing unit for storing the received electronic document information (col. 2, lines 41-50); and
a printing means within said housing unit, and which is coupled to the receiver means, payment authorization means, and memory means for printing the electronic document information as a printed document upon indication from the payment authorization means (col. 2, line 51 through col. 3, line 3).

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As for claim 13, Liebenow discloses the device, according to claim 10, further comprising: a display means and input device means for providing information regarding the document to be printed and payment information (col. 2, lines 4-13; col. 3, lines 49-55; col. 5, lines 11-15).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liebenow (Patent Number 6,480,673), in view of by Kolls (Patent Number 6,604,087).

As for claims 8-9, Liebenow does not disclose the vending machine, according to claim 1, further comprising: an input bin within the housing unit that allows the user to input predetermined types of paper to the printer; and wherein the input bin is a cut sheet feeder.

Kolls discloses that in step 50, the system effectuates the delivery, monitoring, and dispensing of the product, and/or service (col. 5, lines 3-5); and in an exemplary embodiment, the solenoid control means 528 is responsive to a system 500 detecting an "out-of-supply" condition of a vending machine and opening a supply door/drawer to allow a customer to restock the vending machines. Supplies can include paper, ink and toner for a copier, printer, fax, or PC (col. 11, lines 41-46 and FIG. 4B). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention Liebenow to include the feature of Kolls in order to permit the user the capability to restock paper.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

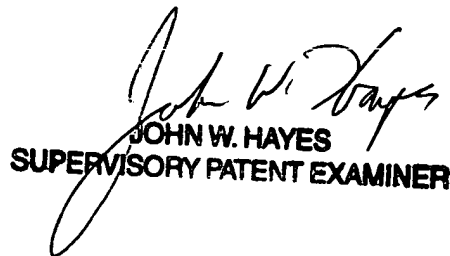
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Freda A. Nelson whose telephone number is (571) 272-7076. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FAN 12/30/2005

A handwritten signature in cursive script, appearing to read "Freda Nelson".A handwritten signature in cursive script, appearing to read "John W. Hayes".
JOHN W. HAYES
SUPERVISORY PATENT EXAMINER